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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

TRUSTEES OF THE NEVADA RESORT  
 ASSOCIATION-INTERNATIONAL  
 ALLIANCE OF THEATRICAL STAGE  
 EMPLOYEES AND MOVING PICTURE  
 MACHINE OPERATORS OF THE UNITED  
 STATES AND CANADA LOCAL 720  
 PENSION TRUST; NEVADA RESORT  
 ASSOCIATION-INTERNATIONAL  
 ALLIANCE OF THEATRICAL STAGE  
 EMPLOYEES AND MOVING PICTURE  
 MACHINE OPERATORS OF THE UNITED  
 STATES AND CANADA LOCAL 720  
 PENSION TRUST,

Plaintiffs,

vs.

THEATRICAL RESOURCES, INC., a  
 California corporation,

Defendant.

Case No.

**COMPLAINT**

Plaintiffs allege:

1. This action arises under the Employee Retirement Income Security Act of 1974 (“ERISA”), 29 U.S.C. §§ 1001-1500, as amended by the Multiemployer Pension Plan Amendments Act of 1980 (“MPPAA”) (29 U.S.C. §§ 1001-1461 (1982)).

**PARTIES**

2. The Nevada Resort Association-International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the United States and Canada Local 720 Pension Trust (the “Plan”) is an “employee benefit pension plan” as defined in 29 U.S.C. § 1002(2); and a “multiemployer plan” as defined in 29 U.S.C. §§ 1002(37) and 1301(a)(3).

3. The Board of Trustees (the “Trustees”) for the Plan is the “plan sponsor” within the meaning of 29 U.S.C. § 1002(16)(B)(iii), and the Trustees are fiduciaries of the Plan under 29 U.S.C. § 1002(21)(A).

4. Defendant Theatrical Resources, Inc. (“Theatrical Resources”) is a California corporation, doing business in Las Vegas, Nevada.

**JURISDICTION AND VENUE**

5. This Court has jurisdiction over this action pursuant to 29 U.S.C. § 1451(c).

6. The District of Nevada is a proper venue pursuant to 29 U.S.C. § 1451(d), as the Plan is administered in Las Vegas, Nevada.

**SOLE CLAIM FOR RELIEF**  
**Payment of Withdrawal Liability**

7. Paragraphs 1 through 6 are restated and incorporated by reference.

8. Theatrical Resources was a participating employer in the Plan.

9. Theatrical Resources withdrew from participation in the Plan, which required the Plan to assess withdrawal liability against Theatrical Resources in the amount of \$92,166.

10. By letter dated February 13, 2020, the Plan notified Theatrical Resources of the assessed withdrawal liability and that payment could be made in full or in 9 quarterly payments of \$10,246 beginning on March 1, 2020, plus a final payment of \$4,497.

11. Theatrical Resources failed to make its first quarterly payment.

12. On March 3, 2020, the Plan notified Theatrical Resources that it would be in default if it failed to cure its nonpayment within sixty (60) days pursuant to MPPAA.

13. Theatrical Resources failed to cure its nonpayment within sixty days.

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14. Pursuant to 29 U.S.C. § 1399(c)(5)(A), the Plan seeks a money judgment against Theatrical Resources of the entire assessed withdrawal liability plus interest, liquidated damages, attorney's fees and costs.

WHEREFORE, Plaintiffs prays for relief as follows:

1. For a judgment against Theatrical Resources Production Services, Inc., for the entire amount of the assessed withdrawal liability of \$92,166, interest, liquidated damages and attorney's fees and costs.

2. For additional interest, liquidated damages, attorney's fees and costs that may accrue prior to entry of judgment.

2. For other equitable relief as provided by ERISA; and,

3. For any other relief the Court deems appropriate.

Dated: July 1, 2020.

BROWNSTEIN HYATT FARBER SCHRECK, LLP

/s/ Christopher M. Humes

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